UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS

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IN RE YASMIN AND YAZ (DROSPIRENONE) MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION	**3:09-md-02100-DRH-PMF** **MDL No. 2100**

This Document Relates to:	**Judge David R. Herndon**
ALL CASES	

CASE MANAGEMENT ORDER NUMBER 39

Schedule for Supplemental Production

Herndon, Chief Judge

This matter is before the Court on the issue of supplemental discovery. To date, the requested advisory committee materials and/or custodial file materials that have been produced and that are being produced by the defendants have been subject to a "cut-off" date of July 31, 2011. The Court hereby orders the defendants to supplement that production every thirty days beginning on September 21, 2011. Accordingly, production of the requested advisory committee materials and/or custodial file materials shall be supplemented by the defendants on September 21, 2011, October 21, 2011, November 21, 2011, and December 21, 2011. This supplementary production

schedule will include any requested materials that the defendants supply to or receive from the FDA in connection with any pending "watershed" events.[1]

With regard to the requested advisory committee materials and/or custodial file materials produced in connection with this Order, the Court **ORDERS** the plaintiffs to treat such material as **confidential**. The material is not – under any circumstances – to be produced to any third parties. In particular, this confidential material shall not be produced or shown to any experts or other witnesses in preparation for approaching advisory committee hearings. This material is being produced solely for use in this litigation. It shall not be used by plaintiffs to interfere with or influence the outcome of any pending advisory committee hearings.

SO ORDERED

David R. Herndon
2011.09.14
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Chief Judge
United States District Court **Date: September 14, 2011**

[1] In other words, the Court will not require defendants to produce any such materials within 24 or 48 hours of receipt or production of such materials to the FDA (as requested by the plaintiffs). Rather, all supplementary materials shall be produced every thirty days in accordance with the schedule discussed above (regardless of the pendency of any related administrative proceedings).